



3       Hearing on any motion that is required to be made pursuant to Fed. R. Crim. P. 12(b)(3) shall be held during the Court's December motions/sentencing term, which is now scheduled to begin on                   , with any such motions due to be filed no later than eight (8) business days prior to the first day of the motions term. All other pretrial motions are due to be filed not later than eight (8) business days before the first day of the trial term during which the case has been set for trial. All pretrial motions for which a hearing will be required must contain counsel's good faith estimate of how much court time will be required to hear any evidence and/or argument pertaining to the motion.

5.       Unless otherwise provided, an Order granting an additional continuance from the trial setting set forth in the Arraignment Order will delay the deadline for filing Rule 12(b)(3) motions until eight (8) business days before the motions/sentencing term immediately preceding the new trial term, and the deadline for filing all other motions until eight (8) business days before the first day of the new trial term, if at the time the continuance is granted that the relevant motions deadline has not already passed and the motion has not already been decided.

6.       If a jury is summoned for this trial only, and the Defendant changes the plea to guilty on the day of trial, Defendant may be charged with the cost of the jury.

7.       In the event of a mistrial, any further pretrial motions will be due to be filed not later than eight (8) business days before the trial term for which the case is set for retrial. If there are newly discovered grounds to make a Rule 12(b)(3) motion, such motion will be due to be filed not later than eight (8) business days before the

motions/sentencing term immediately preceding the trial term for which the case is set for retrial.

IT IS SO ORDERED.

*Carl Horn, III*

---

Carl Horn, III  
United States Magistrate Judge

